

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

IN THE MATTER OF THE FILING BY Z-TEL ) COMMUNICATIONS, INC. FOR APPROVAL OF ) REVISIONS TO ITS INTRASTATE SWITCHED ) ACCESS TARIFF )	) ) ) ) )	ORDER GRANTING PETITION FOR WAIVER AND APPROVING TARIFF TC03-099
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On June 20, 2003, the Public Utilities Commission (Commission) received a petition from Z-Tel Communications, Inc. (Z-Tel) for approval of revisions to its intrastate switched access tariff. Additionally, Z-Tel requested a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates. Z-Tel also requested a waiver of ARSD 20:10:27:07.

On June 26, 2003, the Commission electronically transmitted notice of the filing and the intervention deadline of July 11, 2003, to interested individuals and entities. No comments or petitions to intervene were filed.

On August 4, 2003, the Commission considered Z-Tel's request for approval of revisions to its intrastate switched access tariff no. 3 and a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates. The Commission has jurisdiction over this matter pursuant to SDCL 49-31-18, 49-31-19 and ARSD 20:10:27:12. The Commission voted to grant a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates, grant a waiver of ARSD 20:10:27:07, and approve the revisions to Z-Tel's intrastate switched access tariff no. 3. The Commission further ordered that Z-Tel, within three years of the date of the Order issued in TC01-053, dated July 27, 2001, file a petition to continue the exemption granted in this proceeding or file cost-based rates. The Commission voted to grant the petition for waiver and approve the tariff. It is therefore

ORDERED, that Z-Tel's request for a waiver of the use of the formula in ARSD 20:10:27:12, so as to mirror the Qwest Corporation tariffed access rates is granted, its revised intrastate switched access tariff no. 3 is approved, and the waiver of ARSD 20:10:27:07 is granted; and it is further

ORDERED, that Z-Tel shall, within three years of the date of the order issued in TC01-053, dated July 27, 2001, file a petition to continue the exemption granted in this proceeding or file cost-based intrastate switched access rates.

Dated at Pierre, South Dakota, this 8<sup>th</sup> day of August, 2003.

<b>CERTIFICATE OF SERVICE</b>	
The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.	
By:	<u>Alvin Kalbo</u>
Date:	<u>8/8/03</u>
(OFFICIAL SEAL)	

BY ORDER OF THE COMMISSION:

Robert K. Sahr  
ROBERT K. SAHR, Chairman

Gary Hanson  
GARY HANSON, Commissioner